



Agenda Date: 10/11/2016  
Agenda Item: 3.3

## STAFF REPORT

**Date:** October 3, 2016  
**To:** Mayor and City Councilmembers  
**From:** William R. Galstan, Special Counsel  
**Subject:** Sewer Connection Reimbursement Ordinance

### FOR CONSIDERATION AT THE CITY COUNCIL MEETING ON OCTOBER 11, 2016

#### **Summary and Recommendation**

- A) Introduce the ordinance by title only;
- B) Introduce the ordinance adding Section 6.7.205 to the Oakley Municipal Code.

#### **Fiscal Impact**

This ordinance will save the City money, because street infrastructure will not need to be torn up to install future sewer laterals, and the cost of providing necessary equipment will be reimbursed in the sewer hookup fee.

#### **Background and Analysis**

The City is proceeding with the extension of Main Street improvements. There are several vacant parcels which abut the project and which will need sewer lateral connections in the future when development occurs, or older properties which may have to upgrade and replace their laterals. When a sewer lateral is run from the property to the main line in the street, it is necessary to dig and trench to place the lateral, thus causing damage to the newly-installed sidewalk, curbs, gutters, landscaping, etc.

City Engineer Kevin Rohani and his staff have wisely determined, as part of the Main Street project, to provide pipes from the main to the edge of several private properties so that when the properties develop, they can easily connect the lateral from the building to the new connecting pipe. This will avoid damage to the City infrastructure mentioned above. The cost of installing such pipes is slightly more than \$3,000.00 each, and is a cost normally incurred by the private property owner, plus the additional costs of repairing and replacing the damaged City curbs, gutters and sidewalks/landscaping.

This ordinance would require the connecting private property owner to reimburse the City for the cost of installing the connecting pipe when a new sewer connection is made. As noted above, the reimbursement amount will actually be a cost reduction for the property owner, as the owner is not incurring the additional cost of repairing damaged City facilities.

This program does not provide a sewer "lateral" for the properties. Internal plumbing of the building, as well as connecting from the building to the new connecting pipe provided by the City, remains the private property owners' obligation.

### **Conclusion**

This program and ordinance will have the laudatory effect of protecting new City infrastructure from being ripped up, reimbursing the City for the cost of providing the protective connecting pipes, and result in lower costs for private property owners.

### **Attachment**

- A) Ordinance adding Section 6.7.205 to the Oakley Municipal Code.

ORDINANCE NO. \_\_\_\_\_

**ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADDING SECTION  
6.7.205 TO THE OAKLEY MUNICIPAL CODE, DEALING WITH SEWER  
CONNECTION REIMBURSEMENT**

The City Council of the City of Oakley does ordain as follows:

Section 1. Section 6.7.205 is hereby added to the Oakley Municipal Code, to read as follows:

**6.7.205 Reimbursement for City improvements.**

From time to time, the City may install improvements to prevent future damage to sidewalk, curbs, gutters, landscaping, irrigation, lighting, conduit and similar facilities. Such improvement may include, but not be limited to, providing pipe for future lateral connections to the sewer main line. In such instances, the City Engineer shall collect from the persons or entities described in Section 6.7.202 funds sufficient to reimburse the City for its cost of installing such improvements when an application is made to connect to the improvement provided by the City.

Section 2. California Environmental Quality Act (CEQA) Finding.

This ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3), Review for Exemption, because it can be seen with certainty that the project will not have a significant effect on the environment; therefore the project is not subject to CEQA.

Section 3. Severability.

In the event any section or portion of this ordinance shall be determined to be invalid or unconstitutional, such section or portions shall be deemed severable and all other sections or portions hereof shall remain in full force and effect.

Section 4. Effective Date and Publication.

This ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk shall cause the ordinance to be published within fifteen (15) days after its passage in a newspaper of general circulation, or by publishing a summary of the proposed ordinance, posting a certified copy of the proposed ordinance in the City Clerk's Office at least five (5) days prior to the City Council meeting at which the ordinance is to be adopted, and within fifteen (15) days after its adoption, publishing a summary of the ordinance with the names of the Council Members voting for and against the ordinance.

The foregoing ordinance was adopted with the reading waived at a regular meeting of the Oakley City Council on \_\_\_\_\_, 2016 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

\_\_\_\_\_  
Kevin Romick, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date